

**** E-filed January 19, 2011 ****

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARIA CERVANTES, et al.,

No. C10-05689 HRL

Plaintiffs,

v.

WELLS FARGO BANK,

Defendant.

**ORDER ALLOWING COUNSEL TO
WITHDRAW AND RE: DEADLINE
FOR CONSENT OR DECLINATION
TO PROCEED BEFORE A UNITED
STATES MAGISTRATE JUDGE**

[Re: Docket No. 6]

On January 14, 2011, Robert Calleros, Jr. ("Calleros"), counsel for plaintiffs Maria Cervantes ("Cervantes") and Moises Villalobos ("Villalobos"), filed a notice alerting the Court that Calleros would withdraw as attorney for Cervantes and Cervantes would, from that point forward, represent herself *pro se*. Docket No. 6. Although this notice was signed by both Calleros and Cervantes, Calleros may not withdraw from this action without this Court's permission. N.D. CAL. Civ. L. R. 11-5(a). However, as the notice indicates that Cervantes agrees to represent herself *pro se*, the Court will allow Calleros to withdraw as her attorney.¹

In addition, the parties are reminded that this civil case has been randomly assigned to a magistrate judge for all purposes including trial. Accordingly, all parties who have not yet done so shall, **no later than January 25, 2011**, file either (1) a Consent to Proceed before a United States Magistrate Judge or (2) a Declination to Proceed before a Magistrate Judge and Request for

¹ This order does affect the status of Calleros's representation of Villalobos.

1 Reassignment to a United States District Judge. *See* N.D. CAL. CIV. R. 73-1. The consent and
2 declination forms are available at the Clerk's Office and may also be obtained from the court's
3 website at <http://www.cand.uscourts.gov>.

4 **IT IS SO ORDERED.**

5 Dated: January 19, 2011


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7 HOWARD R. LLOYD
8 UNITED STATES MAGISTRATE JUDGE
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C10-05689 HRL Notice will be electronically mailed to:

Eric D. Houser scleere@houser-law.com
Lukasz Iwo Wozniak lwozniak@houser-law.com, knguyen@houser-law.com

Notice will be provided by other means to:

Robert Joseph Calleros , Jr
Law Office of Robert J. Calleros Jr.
111 N. Market St.
#1010
San Jose, CA 95113

Maria Cervantes
92 Alexander Court
San Jose, CA 95116

Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.